

REMARKS

Claims 1-11 are pending.

In the Office Action dated August 16, 2006, the Examiner has rejected all the pending claims. Specifically, claims 1, 4, 6, 7 and 10 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,455,965 to Akahori (the "Akahori '965 Patent"). Claims 2, 3, 5, 8, 9 and 11 are rejected under 35 U.S.C. § 103(a) as obvious over the Akahori '965 Patent. In making the obviousness rejections, the Examiner has taken Official Notice of the elements in the dependent claims as distinguished from independent claim 1, which the Examiner has rejected as anticipated by the Akahori '965 Patent.

Applicant respectfully disagrees that the Akahori '965 Patent discloses or even suggests all of the elements of independent claim 1. Claim 1 is directed to a spindle motor and claim 2 is directed to a bearing unit that recites, *inter alia*, "a disc clamp centering tube . . . wherein said disc clamp centering tube is welded to the hub of the rotating unit." None of the cited art discloses or suggest such "a disc clamping device." As explained in Applicant's specification, a "spindle motor having a separate disc clamp centering tube welded to the hub of the spindle motor reduces the overall cost of manufacturing a spindle motor as it can be welded to the hub after the bearing system assembly in the hub has been finalized. Additionally, the risk of uncured adhesive and outgassing problem are completely eliminated." Publication No. U.S. 2002/0240104 at [0023].

The Akahori '965 Patent does not disclose a spindle motor having, *inter alia*, "a disc clamp centering tube . . . wherein said disc clamp centering tub is welded to the hub of the rotating unit. " Rather, a cover 35 is disclosed that in part covers the bearings, very likely to

prevent the escape of contaminants from the bearing system into the clean chamber housing the discs. As shown in Figure 1 of the Akahori '965 Patent, the cover 35 does not perform any role in centering the disc clamp. The disc clamp is shown in phantom as item 38 remote from cover 35. In the spindle motor shown in the Akahori '965 Patent, it appears that hub main body 6A includes an integrated boss about which the disc clamp 38 is mounted. Thus, the cover 35 has no role in centering the disc clamp. In contrast, in independent claims 1 and 2, a disc clamp centering tube is used to center the disc clamp, as shown, for example, in Figure 1 of Applicant's specification. Thus, claims 1 and 2 are not anticipated by the Akahori '965 Patent.

Furthermore, Applicant disagrees that it is a matter of mere design choice well-known in the art to utilize a conical hydrodynamic bearing or to utilize a disc clamp centering tube of the same material as the hub that is welded to the hub. As indicated in Applicant's specification, the prior art discloses integrating a boss with the hub, as appears to be shown in the Akahori '965 Patent or a separate base that is attached with an adhesive. The prior art of record does not show use of a conical hydrodynamic bearing or a disc clamp centering tube of the same material as the hub.

For the forgoing reasons, Applicant respectfully submits claims 1-11 are readily distinguishable and allowable over the cited prior art.

The Examiner is urged to telephone Applicants' undersigned counsel if it will advance the prosecution of this application. The Patent and Trademark Office is authorized to charge any fees required for the entry of this Response, including fees for an extension of time, and any further fees that are properly assessable in this case, or to credit any overpayment, to

Deposit Account No. 50-0675, Order No. 057517/0041. In the event that an extension of time is needed for entry of this Response that is not otherwise provided for, such extension of time is hereby respectfully requested.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Signature: 

Dated: November 14, 2006